



***Town of Tyngsborough  
Conservation Commission***

25 Bryants Lane  
Tyngsborough, Massachusetts 01879-1003  
Office: (978) 649-2300 ext. 116  
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Minutes  
August 28, 2012  
**APPROVED**

**Present:**

**BM:** Brian Martin      **JK:** Jeff Kablik      **LG:** Lucy Gertz      **ES:** Ed Smith      **PM:** Pat Mical  
**MM:** Matt Marro

**Absent:**

**JE:** Jerry Earl      **LB:** Linda Bown

**Attachments:**

1. Agenda
2. Town Collector letter regarding Certificates of compliance – 8/21/12
3. Conservation Director Report for 15 Steinbeck St.

**7:00pm**      BM opened meeting

**7:02pm**      **Highland Street, Map 19, Parcel 18 – Certificate of Compliance, DEP# 309-429** for the following addresses and lot numbers (Continued from 8/14/12):

10(L18), 11(L15), 15(L14), 18(L20), 19(L13), 23(L12), 24(L21), 27(L11), 31(L10),  
35(L9), 36(L2), 39(L8), 40(L3), 43(L7), 44(L4), 47(L6)

The Town Collector submitted an opinion regarding the parcels above where his records indicate that there are no taxes due for the above parcels.

**JK:** Motion to issue a Certificate of Compliance for, DEP# 309-429 , Highland Street (Map 18), and the following Parcels(Lots): 10(L18), 11(L15), 15(L14), 18(L20), 19(L13), 23(L12), 24(L21), 27(L11), 31(L10), 35(L9), 36(L2), 39(L8), 40(L3), 43(L7), 44(L4), 47(L6).

**ES:** 2<sup>nd</sup> the motion

**In Favor: 5 Opposed: 0 Absent: 2**

**Passes: 5-0-2**

**7:05pm**      **Diamond Street, Map 15, Parcel 2 – Certificate of Compliance, DEP# 309-451** for the following addresses and lot numbers (Continued from 8/14/12):

9(11), 10(14), 16(15), 17(10), 22(16), 28(17), 34(18), 35(9), 40(19), 45(8), 46(20), 52(21), 58(22), 64(23), 67(28), 70(24), 73(27), 76(25), 80(26)

The Town Collector submitted an opinion regarding the parcels above where his records indicate that there are no taxes due for the above parcels.

**JK:** Motion to issue a Certificate of Compliance for, DEP# 309-451 , Diamond Street (Map 15), and the following Parcels(Lots): 9(11), 10(14), 16(15), 17(10), 22(16), 28(17), 34(18), 35(9), 40(19), 45(8), 46(20), 52(21), 58(22), 64(23), 67(28), 70(24), 73(27), 76(25), 80(26)

**ES:** 2<sup>nd</sup> the motion

**In Favor: 5 Opposed: 0 Absent: 2**

**Passes: 5-0-2**

**7:10pm**      **Emerald Street, Map15, Parcel 2 – Certificate of Compliance, DEP# 309-451** for the following addresses and lot numbers (Continued from 8/14/12):

10(1), 11(38), 15(37), 19(36), 28(3), 32(4), 38(5), 43(33), 44(6), 50(7), 51(32), 55(31), 59(30)

The Town Collector submitted an opinion regarding the parcels above where his records indicate that there are no taxes due for the above parcels.

**JK:** Motion to issue a Certificate of Compliance for, DEP# 309-451 , Emerald Street (Map 15), and the following Parcels(Lots): 10(1), 11(38), 15(37), 19(36), 28(3), 32(4), 38(5), 43(33), 44(6), 50(7), 51(32), 55(31), 59(30)

**ES:** 2<sup>nd</sup> the motion

**In Favor: 5 Opposed: 0 Absent: 2**

**Passes: 5-0-2**

#### **Director's Determinations/Director's Reports:**

- 1. Director's Determinations:**
- 2. Director's Reports:**

**Discussion:**

- **Sherburne Nature Center Boardwalk Project Update**

Town Administrator Michael Gilleberto appeared before the Commission to discuss the status of this project. Since there have been no viable bids on the project, the bid has been closed. The Trails Committee has indicated that volunteers will be used for this project which will lower the total cost of the project and therefore avoid prevailing wage issues. Currently he is working with Town Counsel to draft a contract agreement with Richard Wolniewicz who will be building the boardwalk. LG said that she would coordinate the volunteer effort in conjunction with the Trails Committee. MM said that he would notify the Trustees of Reservation about the project.

- **Steinbeck St.**

MM issued his report with a recommendation to the Commission for a remedy at 15 Steinbeck St. He concluded that a small drop catch basin could be placed and piped to the existing drainage system within Steinbeck St. LG asked whether there would be any specifications required for this catch basin. MM said that the Commission's engineer could draw up a letter that would detail the specifications. ES maintained that this problem is between the resident and the developer, and is not the jurisdiction of the Conservation Commission. MM reiterated the position that because of the Town's Stormwater By-Law, this issue is still the Commission's jurisdiction.

**LG:** Motion to issue a notice of non-compliance to Maple Ridge Real Estate Development Corp. to remedy the drainage problem at 15 Steinbeck St. utilizing the remedy recommended by the Tyngsborough Conservation Director in the letter dated 8/28/12.

**JK:** 2<sup>nd</sup> the motion

**In Favor: 2 Opposed: 3 Absent: 2**

**Does Not Pass: 2-3-2**

**Administrative:**

**1. Minutes:**

**ES:** Motion to approve the minutes from the July 24<sup>th</sup> & August 14th, 2012 meetings

**LG:** 2<sup>nd</sup> the motion

**In Favor: 4 Opposed: 0 Absent: 2 Abstain: 1**

**Passes: 4-0-2-1**

**7:45pm**

**JK:** Motion to adjourn

**LG:** 2<sup>nd</sup> the motion

**In Favor: 5 Opposed: 0 Absent: 2**

**Passes: 5-0-2**

Respectfully for the Conservation Commission,

Pamela Berman  
Administrative Assistant